

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
ABDELRAHMAN SEWEID,	:	
	:	S1 21 Cr. 551 (AKH)
Defendant.	:	
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WHEREAS, on or about July 14, 2022, ABDELRAHMAN SEWEID (the “Defendant”), was charged in an eight-count Superseding Information, S1 21 Cr. 551 (AKH) (the “Information”), with conspiracy to commit wire and bank fraud, in violation of Title 18, United States Code, Section 1349 (Count One); conspiracy to commit access device fraud, in violation of Title 18, United States Code, Sections 1029(a)(1) and (b)(2) (Count Two); wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2 (Counts Three and Four); aggravated identity theft, in violation of Title 18, United States Code, Sections 1028A(a)(1), 1028A(b), and 2 (Counts Five, Six and Seven); and passport fraud, in violation of Title 18, United States Code, Section 1542 (Count Eight);

WHEREAS, the Information included a forfeiture allegation as to Counts One, Three, and Four of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), of any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One, Three, and Four of the Information, including but not limited to a sum of money in United States currency representing the amount of proceeds

traceable to the commission of the offenses charged in Counts One, Three, and Four of the Information;

WHEREAS, the Information included a second forfeiture allegation as to Count Two of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1029(c)(1)(C), of any and all property constituting, or derived from, proceeds obtained directly or indirectly, as a result of the commission of the offense charged in Count Two of the Information, and any and all personal property used, or intended to be used to commit the offense charged in Count Two of the Information, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count Two of the Information;

WHEREAS, the Information included a third forfeiture allegation as to Count Eight of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code Section 982(a)(6), of all property, real and personal, that constitutes or is derived from or is traceable to the proceeds obtained, directly or indirectly, from the commission of the offense charged in Count Eight of the Information, and all property, real and personal, that was used to facilitate, and was intended to be used to facilitate the commission of the offense charged in Count Eight of the Information, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count Eight of the Information;

WHEREAS, on or about July 14, 2022, the Defendant pled guilty to Counts One through Eight of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegations with respect to Counts One through Four, and Eight of the Information and agreed to forfeit to the United States, pursuant to Title 18, United States

Code, Sections 981(a)(1)(C), 982(a)(2)(A)-(B), 982(a)(6), 1029(c)(1)(C), and Title 28, United States Code, Section 2461(c), a sum of money equal in United States currency, representing the amount of proceeds traceable to the commission of the offenses charged in Counts One through Four, and Eight of the Information;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$1,000,000 in United States currency, representing the amount of proceeds traceable to the offenses charged in Counts One through Four, and Eight of the Information that the Defendant personally obtained, for which the Defendant is jointly and severally liable with co-conspirators Christopher Peeples, Khalil Bey-Muhammad, Gerald Lee, Malcolm Reasonover, Demetrius Torry, Gilbert Huertas and Anayda Huertas all of whom were charged in *United States v. Peeples, et al.*, 23 Cr. 141 (the “Co-conspirators”), to the extent forfeiture money judgments are entered against the Co-conspirators in that case; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts One through Four, and Eight of the Information that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorney Matthew Shahabian, of counsel, and the Defendant and his counsel, Jonathan Marvinny, Esq., that:

1. As a result of the offenses charged in Counts One through Four, and Eight of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$1,000,000 in United States currency (the “Money Judgment”), representing the amount of

proceeds traceable to the offenses charged in Counts One through Four, and Eight of the Information that the Defendant personally obtained, for which the Defendant is jointly and severally liable with the Co-conspirators, to the extent forfeiture money judgments are entered against the Co-conspirators in the case of *United States v. Peebles, et. al.*, 23 Cr. 141, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant ABDELRAHMAN SEWEID, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate

or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

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8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York


By: /s/ 3/30/23
Matthew Shahabian
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-1046
DATE

ABDELRAHMAN SEWEID

By: /s/ Abdelrahman Seweid 4/1/23
ABDELRAHMAN SEWEID
DATE

By: /s/ Jonathan Marvinny 4/1/23
Jonathan Marvinny, Esq.
Attorney for Defendant
52 Duane St., 10th Floor
New York, NY 10007
DATE

SO ORDERED:


HONORABLE ALVIN K. HELLERSTEIN
UNITED STATES DISTRICT JUDGE

4-3-2023
DATE